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Seventeenth session

Summary record of the 302nd meeting
Held at the Palais des Nations, Geneva, on Wednesday, 22 March 2017, at 3 p.m.

Chair: Ms. Degener

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The meeting was called to order at 3.05 p.m.

Consideration of reports submitted by parties to the Convention under article 35 (*continued*)

Initial report of the Islamic Republic of Iran (CRPD/C/IRN/1; CRPD/C/IRN/Q/1 and Add.1)

1. *At the invitation of the Chair, the delegation of the Islamic Republic of Iran took places at the Committee table.*

2. **Mr. Naziri Asl** (Islamic Republic of Iran), introducing his country's initial report (CRPD/C/IRN/1), said that his delegation comprised representatives of the main institutions working to promote and protect the rights of persons with disabilities in the Islamic Republic of Iran, representatives of non-governmental organizations (NGOs) and members of the legislative, executive and judicial branches, some of whom were living with a disability.

3. Islamic law provided that persons with disabilities should be treated with respect and esteem. In keeping with that principle and with its international commitments, the Government had made significant efforts to provide reasonable accommodation and support and to improve accessibility for persons with disabilities, in addition to enshrining their rights in law. The rights of persons with disabilities had been respected even before the country had ratified the Convention, and the Government was committed to removing all barriers to their enjoyment. In that connection, the adoption of the Comprehensive Law on the Protection of Persons with Disabilities in 2004 had been a positive step forward.

4. After the ratification of the Convention, the Government had appointed the State Welfare Organization and the Foundation of Martyr and Veterans' Affairs as the focal points for its implementation. The process of preparing the country's initial report had been overseen by the Human Rights Office of the Ministry of Foreign Affairs in cooperation with other governmental bodies and non-governmental experts. Since the report's submission in 2013, the rights of persons with disabilities had been successfully mainstreamed into all new laws and decisions. Significant achievements included broadening accessibility standards for transportation systems and public buildings; increasing the number of inclusive schools for children with disabilities; and adopting national five-year development plans that included measures to improve the situation of persons with disabilities.

5. Pursuant to the Committee's general comment No. 3 (2016) and article 6 of the Convention on women with disabilities, the Office of the Vice-President for Women and Family Affairs had shortened the working day for women with disabilities and mothers of children with disabilities from eight to six hours, made it possible for those women to take voluntary early retirement and launched a strategic plan to empower female heads of household, especially those with a husband or child with disabilities.

6. In line with the Committee's general comment No. 4 (2016) and article 24 of the Convention on inclusive education, in 2016 more than 14,200 men and 9,700 women with disabilities had enrolled in tertiary education at the postgraduate level. In the same year, some 5,800 persons with disabilities had been awarded research funding.

7. Pursuant to article 8 of the Convention, significant efforts had been made to raise public awareness of the situation of persons with disabilities, with the national media having devoted more than 1,150 hours of broadcasting time to that end. Moreover, the Charter of Citizenship Rights, adopted in 2016 on the initiative of the President of the Islamic Republic of Iran, contained three articles that made specific reference to the rights of persons with disabilities.

8. The Government opposed the imposition of unilateral coercive measures, which impeded the realization of the rights of persons with disabilities and ran counter to the Charter of the United Nations. These measures constituted an obstacle for developing countries in particular by restricting their resources and effectively preventing them from leveraging technology to support persons with disabilities. International cooperation in the

context of technology transfer was crucial to improving the situation of persons with disabilities.

9. In the Islamic Republic of Iran, premarital genetic examinations were compulsory and served as a means of preventing the birth of children with disabilities. The obligation for couples to undergo such examinations was reiterated in the sixth national development plan.

10. The Government was of the view that a sustained and comprehensive approach underpinned by adequate financial and human resources was essential for realizing the rights of persons with disabilities. It would continue its efforts to implement such an approach and to fulfil its commitments under the Convention.

11. **Mr. Nahvinejad** (Islamic Republic of Iran), accompanying his statement with a digital slide presentation, said that the State Welfare Organization, in its capacity as focal point for the implementation of the Convention, was responsible for assisting the 1.3 million persons with disabilities living in the Islamic Republic of Iran. The State Welfare Organization worked with NGOs to assist persons with disabilities through rehabilitation centres and clinics providing physiotherapy, occupational therapy, speech therapy and audiology services. The State Welfare Organization also supplied persons with disabilities with assistive devices, such as wheelchairs and hearing aids.

12. While the general position of the State Welfare Organization was that persons with disabilities should remain in a family setting, it also maintained that they should be equipped to lead independent lives, attend school and enter the labour market and, to that end, worked with NGOs to provide them with appropriate training and assistance. It also organized round-the-clock care for some 48,000 persons with severe disabilities and older persons with disabilities who had no one to look after them. A community-based initiative involving the families of persons with disabilities enabled the delivery of rehabilitation services in remote and rural areas. Some 360,000 persons with disabilities were currently in receipt of a monthly allowance and students with disabilities were also eligible to receive a similar benefit. Financial assistance was available to help persons with disabilities obtain housing and to cover the cost of assistive devices. The State Welfare Organization also had a mandate to generate sustainable employment opportunities, which benefited persons with disabilities, among others.

13. **Mr. Soroush** (Islamic Republic of Iran), accompanying his statement with a digital slide presentation, said that the Foundation of Martyr and Veterans' Affairs, which also served as focal point for the implementation of the Convention, came under the authority of the President and the Supreme Leader of the Islamic Republic of Iran and was responsible, inter alia, for delivering services to persons who had become disabled during the war between Iraq and the Islamic Republic of Iran, including victims of chemical weapon and missile attacks, mine victims and prisoners of war, as well as to their dependants and family members. The Foundation was currently assisting some 560,000 veterans and more than 2 million dependants through the provision of housing, health care and social welfare services. It also facilitated the participation of veterans with disabilities in Iranian society and in the political life of the country and, if necessary, provided them with legal advice and arranged counselling sessions at specialized centres. In 2016, the Foundation had provided health insurance to around 760,000 persons with disabilities. It also arranged medical check-ups for veterans and parents with disabilities and provided home-based care to some 23,000 persons with disabilities. In addition, it supplied persons with disabilities with assistive devices, paid them employment and care allowances and provided them with employment opportunities, as well as loans to encourage self-employment. The Foundation also organized cultural trips and events to commemorate the contribution of veterans with disabilities and had set up around 60 specialized rehabilitation centres.

14. **Mr. Buntan** (Country Rapporteur) said that the State party appeared to make provision for persons with disabilities mainly through welfare programmes and services and to provide families with support to enable persons with disabilities to remain in a family setting, rather than being placed in institutional care. The State party was to be commended on its primary health-care services, especially in rural areas, which were among the best in the region, and on having set up mental health units across the country to grant persons with

disabilities access to mental health services in their own communities. He also welcomed the adoption of the comprehensive plan of action on the rights of children and juveniles, which included strategies targeting the needs of children with disabilities. Interestingly, veterans with disabilities seemed to receive additional support services and benefits that other persons with disabilities did not. The State party should ensure that all persons with disabilities enjoyed access to services and benefits on an equal footing. The Committee's mandate was not, however, to evaluate the effectiveness of the State party's welfare services but to assess its efforts to implement the Convention, in which persons with disabilities were viewed as rights holders and not simply as recipients of welfare.

15. He asked whether the State party intended to withdraw the declaration it had made on ratifying the Convention to the effect that it did not consider itself bound by any provisions of the Convention that might be incompatible with its applicable rules; whether it planned to ratify the Optional Protocol to the Convention; whether there was any provision of the Convention that conflicted with Islamic law and could therefore not be implemented; and how the State party reconciled the fact that the two institutions tasked with monitoring the implementation of the Convention were in fact government-run service providers and not independent bodies.

16. Given that the State party still restricted the legal capacity and liberty of persons with disabilities on the basis of impairment, it would be useful to know whether they were free to choose their place of residence, where and with whom to live and the extent to which they could exercise control over their own lives. He would also appreciate more information on the measures taken to combat the multiple and intersectional discrimination experienced by women and girls with disabilities and persons with disabilities belonging to ethnic, religious or linguistic minorities, and on the actions taken to protect persons with disabilities against violence and ill-treatment.

17. Lastly, the Committee was disappointed to have received only scant information from civil society organizations, which made the task of comparing and confirming the validity of the information provided by the State party all the more difficult. Indeed, the Islamic Republic of Iran was one of the few States parties that had not submitted a comprehensive shadow report prepared by an independent civil society organization or an organization of persons with disabilities. In addition, the Committee had been unable to hold a briefing with or receive input from persons with disabilities through their representative organizations ahead of its interactive dialogue with the State party. While it was commendable that the State party delegation included two eminent Iranians with disabilities and he trusted that their presence was not merely symbolic, it was to be hoped that persons with disabilities, their representative organizations and Iranian civil society in general would participate more actively in future dialogues.

Articles 1–10

18. **Mr. Ruskus** said that the official definition of disability contained in article 1 of the Comprehensive Law on the Protection of Persons with Disabilities appeared to be informed solely by the medical model of disability, as it made no reference to the social barriers to the effective participation and inclusion of persons with disabilities in Iranian society. More generally, disability seemed to be viewed as a reversible impairment, to be overcome through education and training and the use of technology. He asked whether the State party intended to align its definition of disability with that contained in article 1 of the Convention; whether the State Welfare Organization had a specific mandate to prevent disability, which would also be redolent of a medical approach; and whether the State party's legislation concerning persons with disabilities generally covered all types of disabilities and promoted the inclusion and participation of those persons in Iranian society. He also wished to know what services were made available to children with intellectual or psychosocial disabilities from the time of their birth; what support was provided to their families; whether they were guaranteed access to education at all levels; and what kind of schools they attended.

19. **Mr. Chaker** asked whether it was still common practice in the Islamic Republic of Iran, as it was in nearly all Muslim countries, for members of the same family, including

counties, to marry and, if so, whether any efforts had been made to raise awareness of the risk of their children being born with a disability.

20. **Mr. Tatić** said that he would be interested to know how persons with disabilities who experienced discrimination could vindicate their rights and what legal remedies were available to them. It would also be useful to receive information on court cases in which persons with disabilities or their family members had claimed disability-based discrimination and on the outcomes of those cases. Given that Islamic law provided that persons with disabilities should be treated with respect and esteem, he wondered whether the Government, in conjunction with the country's religious authorities, had made efforts to raise awareness of the rights of persons with disabilities and the need to guarantee their participation in Iranian society. He also wished to know whether failure to implement accessibility standards carried a criminal penalty; whether architects, urban planners and civil engineers studied accessibility and universal design as part of their mandatory training; and whether airports, public transport vehicles, hotels and government buildings in the Islamic Republic of Iran were accessible to persons with a physical disability, especially wheelchair users.

21. **Mr. Ishikawa** asked whether Iranian law recognized denial of or failure to provide reasonable accommodation to persons with disabilities as a form of discrimination and whether the Comprehensive Law on the Protection of Persons with Disabilities required compliance with the web accessibility standards set by the World Wide Web Consortium and the International Organization for Standardization.

22. **Mr. Parra Dussan** asked whether disability-based discrimination was actually criminalized in Iranian law. He also wished to know whether the State party conducted awareness-raising campaigns aimed at preventing disability-based discrimination and promoting respect for the rights of persons with disabilities and, if so, how such campaigns were received by the public and how the State party reconciled the fact that its definition of disability was still based on the medical model.

23. **Mr. Buntan** said that the official definition of disability contained in article 1 of the Comprehensive Law on the Protection of Persons with Disabilities pointed to a number of misconceptions about disability in the State party and that the existing concept should be redefined to ensure consistency with the Convention. He would appreciate an explanation of the term "unjust discrimination" appearing in the first line of paragraph 19 of the State party's report. He asked what measures the State party had taken to ensure that women and children with disabilities could participate in decision-making processes affecting their rights and in the public and political life of the country on an equal footing with others and how it protected them against multiple and intersectional discrimination. It would also be useful to know whether the State party considered that the awareness-raising campaigns conducted to date and the coverage given to persons with disabilities by the media had brought about a change in attitude towards them.

24. **Mr. Martin** said that he would like to hear more about the disability-awareness training conducted by the State party and whether its content was in line with the Convention.

25. **Mr. Shaaf** asked whether the State party planned to shift from a medical to a social approach in dealing with disability issues, particularly disability regulations.

26. **Mr. Kim** Hyung Shik said he too had the impression that veterans with disabilities were entitled to a wider range of support services and enjoyed benefits that other persons with disabilities did not. Moreover, the State party continued to adopt a traditional approach to delivering disability services, whereby persons with disabilities were seen only as recipients of welfare and not rights holders whose inclusion and participation in society should be guaranteed. Noting that article 2 of the Comprehensive Law on the Protection of Persons with Disabilities required all ministries and government bodies to ensure that their buildings were accessible to persons with disabilities, he asked how their compliance with the applicable accessibility standards was enforced. He would also like to know whether the definitions of equality, non-discrimination and reasonable accommodation contained in the Convention had been incorporated into Iranian law and whether persons with disabilities and their representative organizations had been consulted in that regard.

27. **Mr. Kabue**, noting that international treaties ratified by the State party automatically became part of the national legal framework and that judges could therefore base their rulings on the Convention, asked whether the planned training on the instrument for members of the judiciary had been conducted and what topics it had covered. He would also appreciate an update on the status of the bill for the protection of women against violence and confirmation as to whether it specifically covered women with disabilities. He too had been disappointed not to have been able to meet with or receive contributions from the organizations of persons with disabilities with which the State party collaborated. Recalling the State party's obligation under article 33 of the Convention to involve those organizations in the process of monitoring its implementation, he asked the delegation to provide the names of those organizations and to detail any joint initiatives that they had undertaken to date.

28. **Mr. Pyaneandee** said that, although Islamic law provided that persons with disabilities should be treated with respect and esteem, respect and esteem did not constitute in and of themselves a guarantee of equality and non-discrimination. He asked how many women and girls with disabilities had lodged a complaint of multiple or intersectional discrimination since the State party had submitted its report and what legal remedies were available to them.

29. **Mr. Buntan** said that the Committee had received reports that, in the Islamic Republic of Iran, persons of diverse sexual orientation and gender identity were often considered to have a psychosocial disability and underwent treatment intended to correct their perceived impairment. He asked what steps the State party was taking to address the prevailing tendency to conflate diverse sexual orientation and gender identity with psychosocial disability and whether Iranian law drew a clear distinction between the two concepts.

30. It appeared that, despite some 20 per cent of metro stations in the capital being equipped with accessibility features, many persons with disabilities still struggled to gain access to metro platforms and were prevented from moving freely about the city. He asked how the State party planned to remedy that situation.

31. **Mr. Rukhledev** said that the State party also had a duty to ensure that information was accessible to persons with a sensory impairment. He asked whether, in the State party, sign language was recognized as an official language; whether there were training programmes for sign language interpreters; and how many sign language interpreters and teachers of sign language were currently employed.

32. **The Chair** asked whether the State party considered compulsory premarital genetic examinations, the purpose of which was to prevent the birth of children with disabilities, to be a measure conducive to the implementation of the Convention. She recalled that article 23 of the Convention enshrined the right of all persons with disabilities who were of marriageable age to marry and to found a family. If such an examination revealed one or both partners to have a hereditary impairment and they were subsequently prevented from marrying and having children on that basis, it was clear that such examinations were inconsistent with the spirit and letter of that article. The State party should bear in mind that the purpose of the Convention was to protect the human rights of persons with disabilities and not to prevent disability or impairment. She asked whether the State party recognized that the criminalization of homosexuality and inaction in the face of widespread prejudice and discrimination on the basis of sexual orientation exposed the lesbian and gay community to a serious risk of poor mental health and of developing a psychosocial disability. Did the State party intend to decriminalize homosexuality and to amend the Islamic Penal Code accordingly in the near future?

The meeting was suspended at 4.20 p.m. and resumed at 4.45 p.m.

33. **Mr. Naziri Asl** (Islamic Republic of Iran) said that, prior to ratification, the State party had evaluated the compatibility of its national laws and Constitution with the obligations it would assume under the Convention. Although no incompatibility had been found, it had nonetheless been decided to make the declaration referred to, which laid down, in a general way, the principle of congruence with the Islamic sharia. Article 46 of the

Convention permitted reservations and declarations that were not contrary to its object and purpose. The Government would continue to implement the instrument in good faith.

34. **Mr. Mocini** (Islamic Republic of Iran) said, with regard to awareness-raising, that, under the Comprehensive Law on the Protection of Persons with Disabilities, the national broadcaster had an obligation to allocate at least two hours per week of radio and television programming to disability-related issues. According to figures for 2015, some 1,150 hours of such programming had been broadcast. The State Welfare Organization held an average of one national and four provincial workshops on the Convention every year. Academic institutes, schools and universities also provided training on and raised awareness of citizens' rights, including those of persons with disabilities. The second edition of a short film and documentary festival highlighting the abilities and competencies of persons with disabilities had been held in 2016. For the third year, Iranian organizations of persons with disabilities had held a series of workshops on the Convention in various cities and provinces aimed at NGOs working on disability rights, personnel from the State Welfare Organization and civil society activists, among others. In addition, social networking websites had been set up to disseminate information and raise awareness about the Convention and disability rights among persons with disabilities themselves and give them the opportunity to provide input. Training had been provided to civil servants and judicial personnel, as well as other groups such as the staff of the Tehran public bus company and tutors working for Tehran City Council. In 2013, 60,000 copies of a publication on the rights of persons with disabilities had been distributed to students in schools nationwide. The aforementioned activities had been undertaken by Iranian NGOs. Of course, awareness-raising was an ongoing process and not a one-time effort; campaigns would therefore continue to be strengthened, but they had already had a positive impact, and the level of awareness among members of the executive, legislative and judicial authorities had increased significantly. NGOs had established independent secretariats to monitor national measures for the implementation of the Convention.

35. **Mr. Nahvinejad** (Islamic Republic of Iran) said the fact that the medical commission of the State Welfare Organization was mentioned in the definition of disability contained in the Comprehensive Law on the Protection of Persons with Disabilities did not mean that the Iranian model of disability was a purely medical one. The State party had accepted the definition of disability developed by the World Health Organization, which focused on the interaction between impairment and environment, and also applied the International Classification of Functioning, Disability and Health. Increasing attention was being paid to the inclusion of social aspects in the definition of disability. When establishing disability, the medical commission, which included social workers and therapists, studied the individual's social circumstances as well as his or her impairment, and its decisions took account of both medical and social issues.

36. One of the main tasks of the State Welfare Organization was the prevention of disability, and it had been successful in that regard. Close to 90 per cent of babies born in the country were screened for hearing and visual problems, and it was estimated that, in the past 10 years, some 15,000 hearing impairments had been prevented. There were public awareness campaigns to warn of the risks associated with marriage and reproduction between close relatives. While attendance at a genetic counselling centre was mandatory for all intending spouses, it was the choice of the persons concerned whether to marry or conceive. Screening had been introduced for metabolic conditions and autism and would be offered for Alzheimer disease later that year.

37. With regard to accessibility and universal design, although many measures had already been taken, it was clear that change could not happen overnight. A special ad hoc commission had been established to monitor the construction of buildings, and a text messaging service had been set up to allow citizens to report accessibility issues in government buildings. The necessary training was provided to engineers, architects and construction professionals in order to improve accessibility. By law, municipalities were not allowed to issue final certificates of construction for buildings that did not meet accessibility standards. The State Welfare Organization conducted an annual accessibility assessment and reported non-compliant organizations to the President. Accessibility of buildings and public spaces was now one of the criteria used in the annual ranking of

government institutions. A national conference on accessibility was held annually, at which engineers, architects and persons with disabilities had the opportunity to exchange views. On the occasion of the International Day of Persons with Disabilities, officials took to the streets to highlight accessibility issues and raise awareness.

38. Of course, physical accessibility was only one aspect. A project was under way with the United Nations Educational, Scientific and Cultural Organization to improve accessibility of information and communications technology for persons with visual impairments. Text-to-speech technology was available, and printed texts were being converted to Braille and other formats. University attendance by students with visual impairments had increased significantly thanks to such technology.

39. There was no discrimination against transsexual persons, and in fact the State Welfare Organization had a dedicated department to provide support and special services to that group. With regard to monitoring implementation of the Convention, in 2015 the Government had established the Coordinating Council of Persons with Disabilities, chaired by the Minister of Labour and with the participation of organs of the judiciary and the national broadcaster, inter alia. A bill amending the Comprehensive Law on the Protection of Persons with Disabilities had been drafted and was currently under consideration. An emergency hotline — 123 — had been set up for reporting cases of harassment or abuse, particularly against women and children with disabilities. The State Welfare Organization brought such cases before the courts in response to verified complaints.

40. **Mr. Ghahfarokhi** (Islamic Republic of Iran) said that both veterans and civilians with disabilities were entitled to receive the services and protections provided for under the Convention and that no distinction was made between the two groups. However, it was true that veterans with disabilities received some additional benefits owing to the fact that they had been victims of terrorist attacks or armed conflict. The provision of those benefits was considered a humanitarian imperative, and the public was generally well disposed towards persons who had acquired a disability in service of the country. Indeed, public perceptions of all persons with disabilities were positive.

41. **Ms. Hamed** (Islamic Republic of Iran) said that, under Iranian legislation, all persons were equal before the law. Anyone who believed that he or she had been a victim of discrimination, including women and girls and persons with disabilities, was entitled to file a complaint through one of the various mechanisms available. There were special courts to deal with cases of discrimination involving the police, the armed forces, civil servants and members of the judiciary. The Prosecutor General was duty-bound to take action in respect of violations of the rights of persons with disabilities, particularly those with severe intellectual disabilities. No figures were available on the number of cases of disability-based discrimination that had been brought. There was, in addition, a parliamentary commission that addressed complaints of discrimination, and the administrative court dealt with actions or decisions of government bodies that violated citizens' rights, including those of persons with disabilities. Compensation was paid to persons who had been treated in a discriminatory manner. Reasonable accommodation was provided to the extent possible in the justice system, and it was intended to expand such provision in the long term. A range of mandatory training sessions on citizens' rights was organized throughout the year for members of the judiciary, and there were plans to provide training for judges on all international conventions ratified by the Islamic Republic of Iran.

42. **Mr. Naziri Asl** (Islamic Republic of Iran) said that a distinction was drawn in Iranian law and practice between positive discrimination and unjust discrimination. There were no differences in treatment between civilians with disabilities, on the one hand, and veterans with disabilities, on the other. The different services available to the two groups simply reflected their differing needs.

43. **Mr. Ghafourian** (Islamic Republic of Iran) said that the curriculum taught in special schools included a module on life skills and empowerment. In addition, workshops were held for parents of children with disabilities; in 2016, more than 7,000 sessions had been organized in schools nationwide, benefiting close to 250,000 parents. Training was also provided by NGOs. With regard to technical and vocational skills training for girls with disabilities, more than 1,800 students in 141 schools had received training in subjects

such as cooking, administration, woodwork, family management, carpet weaving and gardening. Nine modules related to the needs of pupils with disabilities were on offer at the teacher-training college. Sign language was used in special schools for students with hearing impairments, and teachers received appropriate training. The State Welfare Organization had provided sign language training to 3,000 clerics, and the necessary support was made available for sign language interpreters. Several thousand students with severe intellectual disabilities were studying at various levels of education.

44. **Mr. Naziri Asl** (Islamic Republic of Iran) said that a CD providing an overview of the education system for persons with disabilities had been distributed to the Committee members.

45. **Ms. Saraie** (Islamic Republic of Iran) said that the principle of non-discrimination against women was enshrined in the Constitution. There were a number of development plans for vulnerable girls, including girls with disabilities. The sixth national development plan, which would be launched in 2017, included provisions to improve the status of women and increase literacy levels, job opportunities and access to welfare and social security for women. Special attention was paid to empowering women and enabling them to reach senior management posts. The Vice-President for Women and Family Affairs was the highest national authority for the improvement of the status of women, and many women were employed as advisors in that department. There were special support mechanisms for women, including women with disabilities, who experienced discrimination, such as the emergency hotline, the judicial hotline, social work clinics, shelters and the rehabilitation centres of the State Welfare Organization. The bill for the protection of women against violence covered all women, including women and girls with disabilities.

Articles 11-20

46. **Mr. Tatić** said that he would be grateful for a reply to his question on the accessibility of the State party's capital. He asked how the hotlines mentioned were made accessible to deaf persons and persons with intellectual disabilities. He would be interested to know more about the provision of sign language interpretation services in court and administrative proceedings, including the number of available interpreters. He would be grateful for information on the possibility of hiring professional personal assistants for persons with disabilities who required 24-hour assistance.

47. **Mr. Ishikawa**, referring to the information provided in the written replies (CRPD/C/IRN/Q/1/Add.1) concerning the issue of guardianship, said that the delegation might wish to comment on any measures or policies adopted by the Government to prevent the unnecessary restriction of the human rights of persons under guardianship, including access to justice and the right to vote.

48. **Mr. Ruskus** said that he would welcome information on the living conditions of adults with intellectual and psychosocial disabilities, including the supports for social inclusion available to them. He wished to know whether any specific approach was followed to protect women with intellectual or psychosocial disabilities in institutions from gender-based violence. Expressing concern at reports of persons with disabilities being institutionalized under the guise of providing medical treatment, he asked whether there were any plans to end the practice and to provide persons with intellectual and psychosocial disabilities with support to live independently in the community.

49. **Mr. Kabue**, referring to the efforts undertaken by the Iranian Red Crescent Society in the area of disaster risk reduction, as outlined in the replies to the list of issues, asked whether that organization worked in conjunction with the Government or whether it took over responsibility from the Government in that area. Noting that all war veterans with disabilities were covered by disaster insurance, he asked what happened in situations of risk to other persons with disabilities who did not have similar insurance. With regard to access to justice, he wondered whether the fact that the State Welfare Organization defended the legal rights of persons with disabilities in court and provided them with legal counsel meant that they had no choice as to who represented them. It was a matter of concern that persons who were sentenced to prison for committing a crime or for failing to pay a fine would, in

case of "insanity", be placed in a psychiatric hospital or other suitable place until recovery, since that might put them at risk of forced treatment. He invited the delegation to comment on that point.

50. **Mr. Martin** said that he would like to receive information on how the State party was implementing article 12 of the Convention, including on whether it was repealing its guardianship laws and putting in place a system of supported decision-making. He also wished to know whether persons with intellectual disabilities had choices about where and with whom they lived and whether they received the necessary support to be included in the community.

51. **Mr. Lovászy** said that he would like to know more about the provision of assistive technology to persons with disabilities. The delegation should provide data disaggregated by impairment, age, sex and type of technology, and explain the eligibility conditions for receiving such supports. He asked what measures were in place to prevent children with disabilities who were deprived of parental care from being institutionalized. Was he right in assuming that the students using sign language were those studying in special schools only?

52. **Mr. Chaker** said that he wished to know more about the accessibility of the courts and the number of sign language interpreters available.

53. **Mr. Basharu** said that he would welcome information on the provision of information to persons with disabilities in times of emergency, particularly in Braille and sign language. In that connection, he wondered whether the State party's emergency telephone numbers could be accessed by deaf persons. He also wished to know whether persons with disabilities were taken into account in the evacuation plans for emergencies and risk situations. Lastly, he asked what mechanisms were in place to provide the necessary aids and assistive devices to support the personal mobility of persons with disabilities.

54. **Mr. Kim** Hyung Shik said he was surprised that, despite the country's history of armed conflict and the considerable risk of landmines and frequent earthquakes, the measures taken under article 11 of the Convention seemed to be merely reactive rather than proactive, and that it was left to NGOs or persons with disabilities themselves to prepare for and deal with such situations. What role did State responsibility play in that area? He asked what plans the State party had to ensure that persons with disabilities could live independently.

55. **Mr. Pyaneandee** said that he would be interested to hear the delegation's comments on reports from civil society sources that there were serious issues in relation to article 16 of the Convention, especially for women with psychosocial and intellectual disabilities, who were reportedly exploited and even sexually abused. If such problems existed, how did the State party propose to deal with them? How did the victims of such treatment secure access to the justice system?

56. **Mr. Buntan** said that he would like to hear the delegation's views on the fact that defendants with psychosocial or intellectual disabilities were more likely to be sentenced to the death penalty because of the lack of a fair trial or to have the proceedings against them dismissed because they were not considered fit to stand trial. He asked whether it was true that those found guilty of murdering a person with a disability received a lighter sentence than if the victim had not had a disability. He would be interested to know more about the situation of persons who had been subjected to amputation or blinding as a form of punishment. Were they treated in the same way as other persons with disabilities and entitled to the same services or were they left to their own devices?

57. **The Chair** asked how data on persons with disabilities under guardianship living in care institutions and prisons was collected. She also wished to know what concrete steps were envisaged to repeal the legislation on withdrawal of legal capacity, which hindered access to justice for those affected and prevented them from living independently in the community. She asked what specific measures were taken to investigate, and identify and punish the perpetrators of, cases of abuse, violence, torture and ill-treatment where the victims were persons with disabilities, especially persons with intellectual or psychosocial disabilities and children with disabilities living in public facilities.

The meeting rose at 6 p.m.